

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0135 University of Arkansas

ACT#: 376

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. Such appropriation as is authorized in this Act which remains at the end of the first fiscal year of the biennium may be carried forward into the second fiscal year of the biennium there to be used for the same purposes.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

INSTITUTION REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0135 University of Arkansas

ACT#: 376

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

POSITIONS. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

(b) State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

(c) A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

(d) Whenever applicable the information contained in (a) and (b) of this Section shall be included in the employee handbook and or Professional Services Contract paid from the proceeds of the Tobacco Settlement.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

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SECTION#: 8

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EXECUTIVE RECOMMENDATION

LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~TRANSFER PROVISION. Immediately upon the effective date of this Act the Chief Fiscal Officer of the State, Treasurer of State and Auditor of State shall transfer on their books the sum of Five Hundred Thirty Thousand Dollars (\$530,000) from the Special State Assets Forfeiture Fund to the University of Arkansas Fund for allocation to the Criminal Justice Institute. Of the total monies transferred by this section, Two Hundred Thirty Thousand Dollars (\$230,000) shall be allocated and made available to the Criminal Justice Institute for the 2003-04 2005-06 fiscal year for expenses associated with delivering computer training to law enforcement officers statewide and for providing computer equipment to rural law enforcement agencies, the Criminal Justice Institute and computer labs. Of the remaining Three Hundred Thousand Dollars (\$300,000) transferred, One hundred Fifty Thousand Dollars (\$150,000) shall be allocated each fiscal year of the 2003-05 2005-07 biennium to the Criminal Justice Institute for expenses associated with delivering courses to assist law enforcement in safely responding to clandestine methamphetamine activities in the State and to design and deliver a program to assist DEA certified officers in the State meet yearly certification requirements.~~

~~——— The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

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SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~CARRY FORWARD. Any unexpended balance of appropriation and funds authorized by Sections 8 and 10 of this act for the Criminal Justice Institute remaining on June 30, 2004 2006 shall be carried forward and made available for the same purpose during the fiscal year ending June 30, 2005 2007.~~

~~————The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REFUND TO EXPENDITURES. Proceeds derived from the maturity or redemptions of investments as authorized in Section 6 of this Act for the University of Arkansas Soils Testing and Research Program shall be deemed "Refunds to Expenditures" for all monies invested.

The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.

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EXECUTIVE RECOMMENDATION

Arkansas Code 13-6-205 is amended to read as follows:

(c) The Arkansas Archeological Survey is authorized to enter into contracts with and to receive and expend gifts, grants, or other funds from federal, private, or other sources to be used in furtherance of the program of the Survey within the limitations of the maximum annual salary rates as set forth by law.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

USE AND DISBURSING OFFICER. The funds appropriated under Section 3 and allocated in Item (5) of Section 4 of this Act are to be used for the personal services and maintenance and general operation of the Arkansas Archeological Survey and for no other purpose. The Vice-President for Finance and Administration of the University of Arkansas is hereby made the disbursing officer for the appropriation made by this Act.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or on behalf of the athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas, Fayetteville, which is derived from athletic event receipts, or from contributions from sources other than state funds, an amount not to exceed ten thousand dollars (\$10,000) each for such purposes during each year of the ~~2003-2005~~ 2005-2007 biennium for the athletic directors, associate athletic directors, and head coaches, and an amount not to exceed one thousand dollars (\$1,000) each for the assistant athletic directors, assistant coaches, offensive coordinators, defensive coordinators, and head trainers. Any such allowances shall be in addition to the regular salary of such athletic directors, associate and assistant athletic directors, head coaches and

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assistant coaches. Further, if the special allowance funds authorized herein are utilized the University of Arkansas, Fayetteville shall report annually to the Arkansas Legislative Joint Auditing Committee the exact disposition of those special allowance funds. In recognition of the extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas, Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one month's salary for the Athletic Department and Band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

ADDITIONAL PAYMENTS AUTHORIZED. The Board of Trustees of the University of Arkansas is hereby authorized to make additional payments to head coaches at the University of Arkansas, Fayetteville, from revenues generated by contracts with vendors of athletic apparel, shoes and other products in such amounts as may be established by the Board of Trustees for performance by the coaches of consulting and other obligations pursuant to contracts between the University and such vendors. Such additional payments to head coaches shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for such coaches by the General Assembly. Nothing in this section shall be construed to reduce or eliminate the authority granted elsewhere in Arkansas statutes for the payment of allowances or bonuses to coaches at the University of Arkansas, Fayetteville.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND BALANCES. The Board of Trustees in its official governing capacity charged with the management or control of the institution of higher learning and the President or Chancellor as the Chief Executive shall certify to the Chief Fiscal Officer of the State and the Legislative Council that as of December 31 of each year that sufficient appropriations and funds are available, or will become available, to meet all current and anticipated obligations during the fiscal year for the payment of the obligations when they become due.

This certification, signed by the Chair of the Board of Trustees and the President or Chancellor will be forwarded by February 28 of each year or upon release of the previous year's audit by Legislative Audit to the Chief Fiscal Officer of the State and the Legislative Council accompanied by the Board approved published annual financial statement for the preceding fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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AGENCY: 0135 UA- Arkansas School for Mathematics, Sciences, and the Arts

ACT#: 3 1st ES

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INSTITUTION REQUEST

SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term also work during the summer months, shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees in the following classifications:

SUMMER SCHOOL POSITIONS	CLASS CODE
Teacher School for Math & Science	7611
Counselor School for Math & Science	7612
Dorm Supv. School for Math & Science	7613
Asst. Supv. School for Math & Science	7614
Asst. Dorm Supv. School for Math & Science	8808

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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AGENCY: 0135 UA- Arkansas School for Mathematics, Sciences, and the Arts

ACT#: 3 1st ES

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TEACHER GRANT RELATED FUNDING PROVISION. Teachers of the School for Mathematics and Sciences who, in addition to fulfilling annual teaching contract requirements also write grants, grant progress reports and write and publish papers may be authorized as additional annual compensation an amount up to 1/12 of their annual salary. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. The additional compensation authorized by this section shall only be paid from a portion of the grant monies received and shall not be paid from state general revenues or Educational Excellence Trust Fund monies.

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